

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

MARK GORRES, et al.,

Plaintiffs, on behalf of themselves
and others similarly situated,

v.

TIFFANY ROBINSON, in her Official
Capacity as Maryland Secretary of Labor,

Defendant.

Civil Action No.: 1:21-cv-03029-GLR

PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

Plaintiffs Mark Gorres, Johnathan Smith, Deanne Gilliam, William Sanders, Matthew Bosley, and Michael Edwards (collectively, "Plaintiffs"), through their undersigned counsel, hereby move this Court for a preliminary injunction under Fed. R. Civ. P. 65(a), and submit their memorandum of law and exhibits in support. Plaintiffs seek, on behalf of themselves and the classes they seek to represent, a preliminary injunction enjoining Defendant from:

- (a) failing to issue written determinations of eligibility or pay benefits within 21 days of the last day of the week in which an individual makes a claim for unemployment insurance ("UI") benefits;
- (b) suspending payment of UI benefits for continued claims for more than 14 days without a written, appealable determination or redetermination or a resumption of benefits;
- (c) issuing overpayment determinations without a prior notice and opportunity to be heard on the possible overpayment;

- (d) issuing overpayment notices that lack an explanation of the legal and factual basis for the determination and appeal rights;
- (e) issuing overpayment notices that lack an explanation of how claimants can seek a waiver;
- (f) failing to provide benefit determinations, benefit redeterminations, overpayment notices, and other critical documents in a manner reasonably calculated to reach affected claimants;
- (g) flagging claims for fraud when claimants make clerical or technical errors and, based on this fraud flag, suspending completion of eligibility determinations or redeterminations and delaying or suspending payment of benefits;
- (h) preventing claimants from filing weekly certifications of their continued eligibility for UI benefits;
- (i) failing to provide prompt and meaningful responses to queries from claimants; and
- (j) any other such relief that this Court deems proper.

Dated: November 24, 2021

Respectfully submitted,

PUBLIC JUSTICE CENTER

/s/

Sally Dworak-Fisher, Fed. Bar No. 27321
Monisha Cherayil, Fed. Bar No. 18822
David Rodwin, Fed. Bar No. 18615
Tyra M. Robinson, Fed. Bar No. 21289
201 North Charles Street, Suite 1200
Baltimore, Maryland 21201
Telephone: (410) 625-9409
Facsimile: (410) 625-9423
dworak-fishers@publicjustice.org
cherayilm@publicjustice.org
rodwind@publicjustice.org
robinsont@publicjustice.org

GALLAGHER EVELIUS & JONES LLP

/s/

Paul S. Caiola, Fed. Bar No. 2394
218 North Charles Street, Suite 400
Baltimore, Maryland 21201
Telephone: (410) 727-7702
Facsimile: (410) 468-2786
pcaiola@gejlaw.com

Attorneys for Plaintiffs